

O'TOOLE SCRIVO

A LIMITED LIABILITY COMPANY

THOMAS P. SCRIVO
tscrivo@oslaw.com

March 14, 2025

VIA ECF

Honorable Rukhsanah L. Singh, U.S.M.J.
United States District Court
District of New Jersey
Clarkson S. Fisher Fed. Bldg. & U.S. Courthouse
402 East State Street
Trenton, NJ 08608

**Re: *In re: Insulin Pricing Litigation*, MDL No. 3080
Case No. 2:23-md-03080-BRM-RLS**

Dear Judge Singh:

We represent UnitedHealth Group Incorporated; OptumRx, Inc.; Optum, Inc.; and OptumInsight, Inc. (together, “OptumRx”), Defendants in the above captioned matter together with Evernorth Health, Inc. (f/k/a Express Scripts Holding Company); Express Scripts, Inc.; Express Scripts Administrators, LLC; ESI Mail Pharmacy Service, Inc.; Express Scripts Pharmacy, Inc.; Medco Health Solutions, Inc., and The Cigna Group (“ESI”); and CVS Health Corporation; CVS Pharmacy, Inc.; Caremark Rx, L.L.C.; CaremarkPCS Health, L.L.C.; and Caremark, L.L.C. (“CVS”) (together, “PBM Defendants”).

On February 28, 2025, at OptumRx’s request, Plaintiffs filed under temporary seal a Letter from Plaintiffs Re Custodian and Search-Term Disputes Involving PBM Defendants [ECF No. 439]. The current deadline to file a motion to seal in accordance with Local Civil Rules 5.3(c) and 7.1 is today, March 14, 2025.

The PBM Defendants have reviewed this filing and concluded that the materials therein do not need to remain under seal. Plaintiffs take no position as the subject material does not pertain to them. As such, we write to request that the temporary seal for Plaintiffs’ February 28, 2025 filing [ECF No. 439] be lifted. Though the informal motions related to OptumRx’s submissions e-mailed to Your Honor on February 28, 2025 and March 5, 2025 have now been terminated [ECF No. 463], OptumRx will re-file those submissions on the docket should Your Honor wish that it do so.

If this request is acceptable, we ask that Your Honor endorse this Letter as “So Ordered” and have it entered on the Court’s docket.

Honorable Rukhsanah L. Singh, U.S.M.J.

March 14, 2025

Page 2

We thank the Court for its consideration and remain available to answer any questions it may have.

Respectfully submitted,

/s/ Thomas P. Scrivo

Thomas P. Scrivo

/s/ Liz Broadway Brown

Liz Broadway Brown

ALSTON & BIRD LLP

One Atlantic Center

1201 W. Peachtree Street,

N.W., Ste. 4900

Atlanta, GA 30309-3424

T: (404) 881-7000

Fax: (404) 881-7777

liz.brown@alston.com

Cc: Honorable Brian R. Martinotti, U.S.D.J.
All counsel of record (via ECF)

SO ORDERED

Hon. Rukhsanah L. Singh, U.S.M.J.